

SHIPPED: Between 9-28-60 and 10-9-60, from Bogart, Ga., to Greenville, S.C.

LABEL IN PART: "12 Enriched Rolls French Hard * * * Rolls Dixie Darling Distributed Exclusively By Winn-Dixie Stores, Inc. Headquarters: Jacksonville, Fla.," "DIXIE DARLING Angel Food Cake 49¢ Net Wt. 1 Lb. 1 Oz. Dist. By Winn-Dixie Stores, Inc. Jacksonville, Florida," and "DIXIE DARLING Pound Cake Special 39¢ Net Wt. 1 Lb. Dist. By Winn-Dixie Stores, Inc. HDQS. Jacksonville, Fla."

CHARGE: 402(a)(3)—contained fly and insect parts and rodent hairs; and 402(a)(4)—prepared and packed under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 12-5-61. \$1,500 fine.

29402. Bread and rolls. (F.D.C. No. 45584. S. Nos. 35-556/7 R.)

INFORMATION FILED: 7-6-61, Dist. N.J., against Victory Baking Co., a partnership, Jersey City, N.J., and Max Cohen, partner.

SHIPPED: On 9-29-60, from Jersey City, N.J., to New York, N.Y.

LABEL IN PART: (Pkg.) "COHEN Victory Jersey City, N.J. BLUMAN."

CHARGE: 402(a)(3)—contained insects and insect parts; and 402(a)(4)—prepared under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 1-10-64. Partnership and individual each fined \$800.

29403. Diet-Snax crackers. (F.D.C. No. 46159. S. No. 73-809 R.)

QUANTITY: 257 cases, each containing 36 pkgs., at Los Angeles, Calif.

SHIPPED: Between 6-6-61 and 6-30-61, from New York, N.Y., by Aron Streit, Inc.

LABEL IN PART: (Pkg.) "Diet-Snax by Streit's—Net Wt. 12 ozs.—Mfd. by Aron Streit, Inc., * * * N.Y., N.Y."

RESULTS OF INVESTIGATION: Examination showed the article to be approximately 7½ percent short weight.

LIBELED: 8-2-61, S. Dist. Calif.

CHARGE: 403(e)(2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of the contents, since the label statement "Net Wt. 12 Ozs." was inaccurate.

DISPOSITION: 8-23-61. Consent—claimed by I. Rudin & Co., of Los Angeles, Calif., and relabeled.

29404. Fruitcake with sauce. (F.D.C. No. 47145. S. No. 40-925 T.)

QUANTITY: 25 34¼-oz. cans and 26 24½-oz. cans, at Brooklyn, N.Y.

SHIPPED: Between 12-4-61 and 12-18-61, from Houston, Tex., by Carver Foods Co.

LABEL IN PART: (Can lid) "Mrs. Carver's [on top] * * * [on sides] 25 Miniatures plus 2¾ oz. rum sauce * * * Ingredients in both Light and Dark cakes: * * * sodium propionate * * * If Light cake: also contains sherry wine * * * If Dark cake: also contains genuine aged rum, age-old brandy, home-baked by Carver Foods Company, Houston, Texas"; (jar) "Delicious Rum Sauce * * * Ingredients: Genuine Rum, Age-Old Brandy."

RESULTS OF INVESTIGATION: Each can contained a number of small fruitcakes and a small jar of sauce. The information printed on the rim of the can lid was in small type on a nonuniform background, and that on the rum sauce label was printed in very small type on a highly reflective surface.

LIBELED: 2-27-62, E. Dist. N.Y.

CHARGE: 403(a)—when shipped, the label statements (can) "sherry wine" "genuine aged rum" "age-old brandy," and "home-baked" and (jar) "Genuine Rum," and "Age-Old Brandy," were false and misleading as applied to products containing little or none of these ingredients; and which were not home-baked; 403(e)—the label of the sauce jar failed to bear (1) the manufacturer's name and place of business and (2) a statement of the quantity of the contents; 403(f)—the information required under sections 403(e) (1) and (2), 403(i) (2), and 403(k), namely, (can) the name and address of the manufacturer, and the quantity of contents statement; (can and jar) the common or usual name of each ingredient; the declaration of artificial flavor and color, was not prominently placed thereon with such conspicuousness (as compared with other words, statements, designs or devices in the labeling) as to render it likely to be read by the ordinary individual under customary conditions of purchase and use; and 403(k)—the label failed to declare the fact that the sodium propionate was a chemical preservative.

DISPOSITION: 7-26-62. Default—destruction (the article having become unfit after the seizure was made).

CORNMEAL

29405. Cornmeal. (F.D.C. No. 49535. S. Nos. 69-300 V, 69-666/7 V, 69-722 V, 3-221/2 X, 3-787/9 X.)

INFORMATION FILED: 1-31-64, E. Dist. N.C., against Samuel H. James, owner of a cornmeal mill, Ahoskie, N.C.

SHIPPED: Between 4-16-63 and 7-8-63, from Ahoskie, N.C., to Whaleyville, Va.

LABEL IN PART: (Bag) "2 Lbs. Net Wt. [or "5 Lbs. Net Weight"] North Carolina White [or "Yellow"] Corn Meal Packed By Samuel H. James Ahoskie, N.C."

CHARGE: 402(a) (3)—contained insects, insect fragments, insect webbing, and rodent hair fragments; and 402(a) (4)—prepared and packed under insanitary conditions.

PLEA: Guilty.

DISPOSITION: 3-25-64. \$900 fine of which \$400 remitted, and probation for 18 months.

29406. Cornmeal. (F.D.C. No. 48527. S. Nos. 5-519 T, 5-326/8 T, 5-334 T, 5-341/3 T, 85-741 T, 85-743 T.)

INFORMATION FILED: 4-24-63, E. Dist. N.C., against Chowan Milling Co., Inc., Como, N.C., and Davis B. Spiers, Sr., president.

SHIPPED: Between 5-10-62 and 8-31-62, from Como, N.C., to Salisbury, Md., and Norfolk, Va.

LABEL IN PART: (Bag) "2 [or "5"] Lbs. Net Wt. White Plain [or "Self Rising"] Corn Meal Milled By Chowan Milling Co., Inc. Como, N.C."

CHARGE: 402(a) (3)—contained insects, insect fragments, and rodent hair fragments; and 402(a) (4)—held under insanitary conditions.